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2
3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

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6 X2O MEDIA, INC.,

7 Plaintiff,

8 v.

9 XENTIANT TECHNOLOGIES, et al.,

10 Defendants.
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Case No. 2:18-cv-01645-JCM-CWH

ORDER

12 Presently before the court is the parties' proposed discovery plan and scheduling order
13 (ECF No. 47), filed on February 5, 2019.

14 The court has broad discretion in controlling discovery. *See Little v. Seattle*, 863 F.2d
15 681, 685 (9th Cir. 1988). Rule 26(b)(1) of the Federal Rules of Civil Procedure permits discovery
16 of any

17 nonprivileged matter that is relevant to any party's claim or defense and
18 proportional to the needs of the case, considering the importance of the issues at
19 stake in the action, the amount in controversy, the parties' relative access to
20 relevant information, the parties' resources, the importance of the discovery in
resolving the issues, and whether the burden or expense of the proposed discovery
outweighs its likely benefit.

21 Fed. R. Civ. P. 26(b)(1). Additionally, under Rule 26(b), the court has the authority to limit the
22 scope of discovery. *See id.*

23 Here, the parties disagree on whether discovery should be stayed pending the resolution of
24 defendants' motions to dismiss (ECF Nos. 33, 38). Plaintiff's proposal requests 240 days to
25 conduct discovery, and the proposal states the required dates under Local Rule 26-1. While
26 defendants agree that discovery should proceed over a period of 240 days, they contend that the
27 discovery period should commence after the court's resolution of the pending motions to dismiss.
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1 Having reviewed the parties' arguments, the court will grant plaintiff's proposed
2 discovery plan. Defendants have not provided the court with points and authorities on the issue
3 of staying discovery. Therefore, the court is unable to make the necessary findings to determine
4 whether a stay of discovery is warranted in this case.

5 IT IS THEREFORE ORDERED that discovery shall proceed according to the following
6 schedule:

7	Discovery cutoff	September 26, 2019
8	Motions to amend pleadings and add parties	June 28, 2019
9	Expert designations	July 26, 2019
10	Rebuttal expert designations	August 26, 2019
11	Interim status report	July 26, 2019
12	Dispositive motions	October 25, 2019
13	Pretrial Order	November 25, 2019

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15 DATED: February 11, 2019

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18 C.W. HOFFMAN, JR.
19 UNITED STATES MAGISTRATE JUDGE
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